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W. Danziger

W I L L I A M D A N Z I G E R, called as a witness, having first been duly sworn by the Foreman, testified as follows:

BY MR. LANE:

Q Now, Mr. Danziger, I need not remind you that you are under oath and that your testimony is subject to the penalties of perjury; I think I told you that before. And I think you are well aware of your constitutional rights; I have already advised you of those. Do you want me to explain them again?

A Well, the latter I would, if you would.

Q Well, you don't have to answer any questions the answers to which may tend to incriminate or degrade you. But from what I understand, from your last appearance, you -- at least, in my way of thinking -- tended to cooperate the best that you could to the best of your knowledge, and I assume that you will do the same thing here. Now, I'm primarily interested in one or two things. Do you know this fellow Abe Survell; S-u-r-v-e-l-l? A Yes, I do.

Q Do you know him very well? A No. I know him.

Q Do you know his wife Esther? A Yes, I do.

Q Did you ever attend any meetings at his home in Washington? A I don't positively recall, but I may have attended some meetings.

Q Well, now, you may recall, in the last appearance before the Grand Jury you mentioned something about receiving a letter from Sobell. A Yes, sir.

Q And you said that you thought his address was Cordova.

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A That was as well as I could recall the thing. It had some sounding name like that.

Q Do you recall when you received that letter?

A No, I don't.

Q Did you answer the letter? A Yes, + did.

Q And where did you write him? A I wrote it to that address, I mean to the address given.

Q Cordova; is that it? A Yes. I don't want you to feel that -- that's as well as I can recall.

Q I understand; to the best of your recollection.

A Yes, that's right.

Q Now, how many letters did you receive from him, all told, while he was away? A Well, I think I received two.

Q And did you answer both of them? A Yes, sir.

Q And in answering, you mean you sent him letters?

A Oh, yes.

Q You sent him letters? A Oh, yes.

Q Now, what did you do with the letters that you received from him? A Well, + don't really recall. They were probably tossed out. I mean, personal mail we don't normally keep around the house. We just get it, answer it and throw it away.

Q Are you sure you tossed it out? A Well, I would say yes, I'm reasonably sure that I --

Q Both letters? A Yes.

Q Destroyed them? A Well, just -- I mean, I don't

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recall the actual incident, but I assume they went into the trash along with everything else.

Q I believe you looked around and tried to find those, after the FBI inquired? A Yes.

Q And you couldn't find them? A That's right.

Q Did you show your wife either letter? A Well, I don't really recall whether I did or not. It's just one of those things.

Q One of what things? A I mean, it's -- we get personal mail; she may have seen it and she may have not.

BY THE JURY:

Q Wasn't it quite important, getting a letter from Mr. Sobell? You knew all about the situation. A Well, no; at the time we received mail from him we were receiving a personal letter from somebody I knew.

BY MR. LANE:

Q Tell me, did you ever correspond with Edith Levitov? A As well as I can recall, I never did.

Q You never corresponded with her? A No, sir.

Q Did you ever send her a letter? A No, I don't recall that I ever sent her a letter.

Q Did your wife ever send her a letter? A Not to my knowledge.

Q Did you ever address a letter to her? A I don't recall addressing a letter to her.

Q Well, if I asked you to do something now, would you do it; if I asked you to address a letter to her, would you

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do it? A Yes, sure. I mean, is that something that I should do?

Q Well, I would like you to do it. A Well, now, I want you to explain to me -- I mean, realize I'm here without legal help. What is the significance of --

Q Well, I wanted to get a sample of your printing. You say you never sent a letter to her, and I assume you are telling the truth. A Oh, yes, absolutely.

Q Well, that's the significance. Wait a minute, now, let me call the shots. A Okay, sir.

Q Now, just print the word "Edith," and then print "Levitov," L-e-v-i-t-o-v, in your natural printing.

A I'm a draftsman, sir. (Witness writes.)

Q Have you got that? A Yes, sir.

Q 2135 Lee Highway. A (Witness writes.)

Q Have you got that? A Yes, sir.

Q Arlington, Va., "Va." for "Virginia." A (Witness writes.)

Q Arlington, comma, Va. A (Witness writes.)

Q Now, will you repeat the same on those next two envelopes? A (Witness writes.)

JUROR: Do you always print vertically in your drafting work?

THE WITNESS: Yes, I do.

Q Now, write the same name with an "M," Miss, and then small "iss," capital "M" and small "iss." A (Witness writes.)

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Q And then capital "E" and then small letters "dith" printed. Print "Miss Edith Levitov with a capital "M," a capital "E" and a capital "L" and writing everything else in small letters. A Oh, I see.

Q Capital "M," capital "E" and capital "L," Miss Edith Levitov, and the other letters small. A I see.

Q Have you got that now? A Yes, sir. (Witness writes.)

Q Now, 2135. Then write out "Lee Highway" in your own writing. A (Witness writes.)

Q Then write out Arlington, Va. A (Witness writes.)

Q Now, would you repeat it twice?

(Continued by LB)

(Six envelopes marked Grand Jury Ex. 1-A to 1-F, this date.)

MR. LANE: Let the record indicate that the witness has made those exhibits to give specimens of his handwriting.

Q Now, Mr. Danziger, did you ever address a letter to Edith Levitov at 2135 Lee Highway, Arlington, Va.?

A I do not recall ever addressing a letter to that address.

Q Did you on July 2, 1950, cause a letter to be sent from a New York post office to Edith Levitov, 2135 Lee Highway, Arlington, Va.? A I have no recollection of doing such a thing.

Q I show you an exhibit, a photostat, which I'd like to have marked. (MARKED GRAND JURY EX. 2, this date.) This is an envelope postmarked "New York, July 2 4 PM 1950", one envelope addressed to Edith Levitov, 2135 Lee Highway, Arlington, Va., and a second envelope which has a New York postmark, "New York, July 16 11 AM 1950", also addressed to Miss Edith Levitov, 2135 Lee Highway, Arlington, Va., and I ask you if you can identify either one of those envelopes? It is a photostat of an original? A Well, I'd say they look like my hand.

Q Do you deny or do you admit that that is your handwriting? A I say, it looks like my hand.

Q Do you admit that you sent that letter to Miss Edith Levitov? A I do not recall ever sending this letter.

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Q Do you recall ever having addressed the envelope?

A No, I do not recall ever addressing the envelope.

Q Do you deny that that is your handwriting? A No, sir. I can't. I say, it looks like my hand. I would say it looks like my hand.

MR. LANE: Would you excuse the witness for a few minutes.

(Witness excused and later recalled.)

BY MR. LANE:

Q I just want to bring this to the attention of the jury. Outside, I talked to Mr. Danziger, and I told him that in my opinion I thought he was not being open and above-board to the jury. I told him that I wanted him to cooperate. I told him if he didn't cooperate, the evidence was such that the grand jury might indict him, and I think that Mr. Danziger, with a few ill-chosen words, was under the impression I was threatening him out there. I want to be certain that there was no evidence of any threat on my part when I spoke to you in that outside corridor, I want you to understand that. If you think there was, Mr. Danziger, you tell this jury in what respect you think I made any threat to you?

A Well, I will admit that my words were ill-chosen, and I certainly want to apologize for them. However, I feel that well, first of all, I feel I am innocent, I am not involved in this thing, and I do not feel that your remark, that I might be included in a superseding indictment with Sobell and

Rosenberg and the rest had any place in anything that you said.

Q Didn't I say if you did not explain these rather peculiar facts of your having written a letter to Miss Edith Levitov after stating for the record that you never wrote one, would look a little peculiar, and the grand jury with any intelligence might very well include you in an indictment feeling that you were a part of the whole scheme, because what reason would you have for refusing to explain something that took place only a couple of months previous? If you are as innocent as you claim you are, then why don't you explain why this letter, in your handwriting, was sent to Miss Edith Levitov on July 2, 1950? A That hasn't been identified as my handwriting.

Q I thought you admitted it. Do you deny it? A I do not deny it. I said it looks like my handwriting.

Q You do not deny it? A I neither deny it or affirm it. I said, it looks like my hand. I mean -- that's all -- I mean --

Q That's all. Do you ever recall ever having addressed an envelope? A No, I do not recall addressing an envelope. I do not recall addressing either one of those envelopes.

Q Well, are you in the habit of writing or printing?
A I do both, interchangeably.

Q Which do you do the most? A I don't know.

Q Does that look like your handwriting below the

second exhibit, 2? Does the second envelope, the one on the bottom, look like your handwriting too? That's a combination of printing and writing. Does that look like your writing? A It might be.

Q Do you deny ever having sent that? A I say, I do not recall ever having sent either one of those letters, and I will say it a thousand times.

Q Do you recall what might have been in those envelopes? A No, sir, I do not recall what might have been in those envelopes.

Q Do you recall receiving a letter from Sobell, signed by his wife? A No.

Q You do not recall that? A I do not recall getting a letter.

Q I show you another exhibit, Exhibit 3 (So marked), and ask you if you have ever seen that exhibit before?

(Cont. by BD)

October 18, 1950

(Mr. Lane)

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Q Do you recognize the first two paragraphs of the letter, the handwriting? A No.

Q Do you know Sobell's handwriting? A I really don't know whether I do or not.

Q Have you ever seen any writing? A Oh, yes; I got this letter from him.

Q In fact, you received two letters from him, didn't you? A Oh, yes.

Q Well, don't you recognize his handwriting? A I'm sorry, sir, I just don't.

Q Are those the only two letters you have received from Sobell? A No. I have gotten letters from him before.

Q Well, then, take a good look at the writing.
A I'm sorry, sir, I just couldn't identify this as his writing. It's just a handwriting.

Q Take a look at the printing. A No, I'm sorry, but I could not identify those.

Q Take a look at the word "Helen." Can you identify that writing? A No, sir. I'm sorry.

Q And do you say that you have never seen that exhibit, Government Exhibit 3, before? A That's right.

Q This is the first time you have ever seen it?
A Yes, sir.

Q And you positively say that the letter -- you never sent anything in a letter? A I don't positively say that. I say I don't recall.

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THE FOREMAN: Wait a minute, now.

THE WITNESS: I don't want any words put in my mouth.

Q You don't recall? A I do not recall mailing either one of those letters. I don't recall ever seeing that letter before. The handwriting means nothing to me.

Q Do you ever recall sending any letters to Miss Edith Levitov? A No, I don't recall ever sending a letter to her.

Q Do you ever recall sending a letter to Dave Levitof? A No, sir.

Q Do you recall the date that you sent the answer to Sobell in Mexico? A No, sir.

Q You don't recall that either? A No, sir.

Q Was it after July 2? A I really couldn't tell you. I mean, I have no positive tie-in of any dates.

Q Do you sign your pay checks or do you print them? A I'm not paid by check; I'm paid by cash.

Q Well, do you sign all papers at that place where you work by printing or by writing, or do you interchange?

A Well, anything that I sign I usually write, I usually write when I sign things.

Q How about the reports that you write over there, do you write reports for the business you are working for?

A Yes.

Q Well, do you print or do you write? A Well, the printing is usually typed, and more often I write.

Q I'm talking about the material that isn't typed; when-

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ever you write. A Well, I usually write.

Q You don't interchange there? A No.

Q Why? A I mean, I just -- I'm telling you what I do. I don't know if there is any reason or not.

Q Well, didn't you just finish telling the Jury that normally you interchange, sometimes you print and sometimes you write? A Yes, + probably did. I probably was thinking in terms of addresses or short things like that. But more generally than not I will write.

Q You would write? A Yes.

Q But in your work, in your business, you write almost exclusively. Do you print at all? A Well, I do drafting work; of course I'm drawing as I print. On other stuff, on tabulated things, I print. In other places I don't. I would have to look back to -- I would say more often than not I probably write.

Q Did you have any conversation with Sobell, before he left for Mexico, about acting as a recipient or a forwarding agent for any mail that you might receive? A No, I did not.

Q Did you have any communication from Sobell to the same effect? A No, there was no communication.

Q Was there any understanding between you and Sobell or any agents of Sobell as to what you should do? A No, I don't recall any such thing was discussed.

Q Did you ever receive a letter from Sobell which indicated that you should forward it to 2135 Lee Highway out

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in Virginia? A I don't recall ever getting such a letter.

Q Did you ever have any conversation with Edith Levitov about forwarding any mail? A No, I haven't spoken to Edith Levitov.

Q But you still can't explain why your handwriting, if it is your handwriting, is on that letter or envelope?

A No. Just as I say, I don't recall sending that letter out.

Q Do you recall ever telling your wife to send it out? A No, I don't recall ever telling my wife to send it out.

Q Do you recall discussing it with your wife? A No, I don't recall discussing it with my wife.

Q Well, I think you can get the significance of that. If I can prove that's your handwriting, you would find yourself in a rather peculiar position, wouldn't you? A No.

Q You don't think so? It means nothing to you? A I'm sorry, sir, I don't know what you mean by it means nothing to me.

Q Well, you are over five; I'm not going to explain that to you. You understand English, don't you? A Yes, sir, I do.

Q You understand just what the circumstances that you find yourself in are, don't you? A Yes, I do.

Q Sobell has been indicted for a very serious crime and you are a man who was with him the night that he left, you are the last person that was with him, probably, of his friends. The letter is sent by you, an envelope apparently is sent by you to his sister-in-law, and you disclaim all

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knowledge of ever having sent any letter to her -- which was only three months ago, to be exact -- and yet you don't think it's serious and you don't understand the situation you find yourself in. Now, I'm giving you a chance to explain, if you wish to, I'm bending over backwards to give you a chance to explain your part in this thing here. Conceivably, he may have asked you to forward a letter for him. That in itself probably means nothing, but it means a lot if you don't want to explain it. A Well, I think that the questions that have been asked and the answers that I have given pretty well cover the ground, Mr. Lane. I tell you --

Q You feel that you either don't want to explain or can't explain; is that it? A No. As I say, I think we have gone over the thing and I have pretty well stated what I know of this matter.

Q You told us everything you know of this matter?

A As far as I know, as far as I can recall, I have told you everything I know.

Q And you still say that the letters you received from Sobell you destroyed? A Oh, well --

Q Or you threw away? A I said only that the fact that they weren't around the house indicated that they must have been thrown out in the trash.

Q Were there any enclosures in those letters, besides the letter addressed to you? A No, I don't recall anything in the letter except the letter, except the letter.

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Q You know this man Abe Survell, don't you? You said you knew him. A Yes, I do.

Q You knew he was the chairman of that Communist Party? You knew he was a Communist Party member, didn't you?

A I have no knowledge that Mr. Survell was chairman of a Communist group.

Q Do you know that he was a member of the Communist group? A No, I have no knowledge that he was a member of the Communist group.

Q Did you ever attend any Communist meetings in his home at Washington? A No, I don't recall ever attending any Communist meetings in his home in Washington.

Q Did you ever discuss with him a transfer of membership in the Communist Party from Washington to New York? A No, I don't recall discussing any transfer of membership.

Q Do you know that your wife was a member of the Communist Party? A No, I have no knowledge of that.

Q Did she ever tell you she was? A I don't recall ever discussing that.

Q Did she ever tell you she attended Communist meetings in California? A I don't recall that she ever told me that.

MR. LANE: Do you have any questions?

THE FOREMAN: Any further questions?

(To the witness) You may be excused.

MR. LANE: Well, excused with the reservation

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that he may be recalled.

Q Before you are excused I want to tell you that your situation is extremely precarious because as far as -- I don't know what the Jury is thinking, but as far as I can perceive, there is only one reason why a man refuses to cooperate with his Government and that is because he himself is vulnerable.

A Well, Mr. Lane --

Q Now, I'm trying to impress upon you -- I'm trying to show you the light. You have got a group of reasonable people here who know that sometimes people make mistakes in being associated with other people. But that doesn't necessarily incriminate them. A Mr. Lane, I --

Q I haven't finished yet. If you are going to persist in the tack which you have taken, then your fate is, in my opinion, in the hands of the Grand Jury. A Well, I know, Mr. Lane, that the Grand Jury are my friends, I mean they are people I might meet on the street, and I also know that my prime interest in life rests around my family and kids. It is true that this case may be your full time job. It isn't mine and I don't pay as much attention to every detail as probably you would. In other words, I have a life to live. I have a job. I have kids to bring up, and when I get home in the evening they kid around with me. I probably don't have a chance to talk to my wife about anything. And those are my prime interests. My life -- I have always been faithful to the Government, I have done a good job for them and

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I am going to continue to live in this, my country. I know I'm going to live a free man because my conscience is clear. Now, these people, as I say, they are just -- I might be sitting there some day when someone else is sitting here.

Q Is that all you have to say? A That's all, sir.

MR. LANE: Well, can he be temporarily excused?

THE FOREMAN: You are temporarily excused.

THE WITNESS: You mean wait outside?

MR. LANE: Yes, wait outside.

[WITNESS EXCUSED]